



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

650 Capitol Mall, Suite 4-100

Sacramento, CA. 95814

February 23, 2007

IN REPLY REFER TO

HDA-CA

Document #: S50166

Mr. Will Kempton, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attention: Federal Resources Office, MS #82
For Rachel, Falsetti, Transportation Programming

Dear Mr. Kempton:

SUBJECT: FY 2007 FTIP Amendment No. 4 – Tulare County Association of Governments (TCAG)

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 4 to the TCAG 2007 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated February 8, 2007. TCAG adopted Amendment No. 4 with Resolution No. 1665 on December 11, 2006. With that action, the TCAG Board of Directors approved the program modifications and reaffirmed the consistency of the TCAG FTIP with the applicable State Implementation Plan (SIP) for air quality.

The TCAG 2007 FTIP Amendment No. 4 carries over four CMAQ projects from the 2004 FTIP to the 2006 FTIP because the funds were not obligated prior to the expiration of the 2004 FTIP. These four projects are being added as new projects. Because of the need to obligate funds for those carryover projects, several CMAQ projects are being delayed to future years to meet the fiscal constraint requirements: two projects delayed until FY 07/08; 6 projects delayed until FY 08/09; and one project delayed until FY 09/10. There is also a cost increase for a STIP traffic signal project in FY 06/07 and a schedule delay for an transportation enhancements project from FY 05/06 to FY 06/07.

Pursuant to the July 15, 2004, *Memorandum of Understanding between the Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX*, we accept the modifications to the 2007 Federal Statewide Transportation Improvement Program (FSTIP) for the TCAG region in accordance with the Federal statewide and metropolitan transportation planning regulations codified in 23 CFR Part 450. We find that TCAG's 2007 FTIP, through Amendment No. 4, was developed through a continuing, cooperative, and comprehensive transportation planning process carried out in accordance with the metropolitan planning provisions of 23 U.S.C. Chapter 134, and 49 U.S.C. Chapter 53. This approval is

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provided with the understanding that the FTA funding approval on the individual projects contained in the FSTIP are subject to grantees meeting all necessary FTA administrative requirements.

We have determined that this program modification is exempt from the regional emissions analysis requirements pursuant to the transportation conformity provisions found in 40 CFR Part 93 Sections 126 and 127. This finding has been coordinated with Region 9 of the Environmental Protection Agency (EPA) in accordance with the procedures outlined in the *National Memorandum of Understanding between DOT and EPA on Transportation Conformity*, dated April 25, 2000. Therefore, we find that the FTIP continues to conform to the applicable State Implementation Plan (SIP).

This letter constitutes approval and inclusion of the TCAG's FTIP Amendment No. 4 into California's 2006/07 – 2008/09 FSTIP.

If you have questions or need additional information concerning our approval for this TCAG FSTIP amendment, please contact Steven Luxenberg (steve.luxenberg@fhwa.dot.gov) of the FHWA California Division office at (916) 498-5066.

Sincerely,

/s/ Steve Luxenberg

For
Gene K. Fong
Division Administrator

cc: (e-mail)

Karina O'Connor, EPA

Alex Smith, FTA

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TCAG TIP Binder

sluxenberg/ac